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FILED WITH THE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
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FRED DE VESA  
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: Brenda Talbot Lewis  
Deputy Attorney General  
Division of Law - 5th Fl.  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101  
Tel. (201) 648-4876

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF VETERINARY MEDICAL EXAMINERS  
DOCKET NO.

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

DAVID L. SKAND, D.V.M.

TO PRACTICE VETERINARY MEDICINE  
IN THE STATE OF NEW JERSEY

Administrative Action

COMPLAINT

Fred DeVesa, Acting Attorney General of New Jersey, by Brenda Talbot Lewis, Deputy Attorney General, with offices located at the Division of Law, Fifth Floor, 124 Halsey Street, Newark, New Jersey 07102, by way of Complaint, says:

1. Complainant Acting Attorney General of New Jersey is charged with enforcing the laws of the State of New Jersey pursuant to N.J.S.A. 52:17A-4 and is empowered to initiate

administrative disciplinary proceedings against persons licensed by the Board of Veterinary Medical Examiners pursuant to N.J.S.A. 45:1-14 et seq.

2. The New Jersey State Board of Veterinary Medical Examiners is empowered with the duty and responsibility of regulating the practice of veterinary medicine, surgery and dentistry in the State of New Jersey pursuant to N.J.S.A. 45:16-1 et seq. and N.J.S.A. 45:1-14 et seq.

3. Respondent David L. Skand, D.V.M. is the holder of license number V101208 to practice veterinary medicine, surgery and dentistry in the State of New Jersey. He practices as Faraway Farms Veterinary Hospital at P.O. Box 423, Harding Highway, Richland, New Jersey 08350.

4. Respondent received his New Jersey license in 1967.

COUNT 1

1. On or about January 27, 1993, respondent aided and abetted a female acquaintance in the purchase of cocaine and did in fact participate in said purchase by driving the female to Atlantic City, New Jersey; parking and watching while she approached a known drug seller; leaving and driving around the block when she signaled him to do so because a marked police car had entered the street; and returning to pick her up following the purchase of cocaine.

2. By aiding and abetting in the purchase of cocaine, participating in the purchase of cocaine, and possessing or

permitting the possession of cocaine in his truck, respondent engaged in professional misconduct pursuant to N.J.S.A. 45:1-21(e) and is therefore subject to disciplinary sanction, including but not limited to the revocation or suspension of his license to practice veterinary medicine in New Jersey.

#### COUNT II

1. Complainant repeats and realleges the allegations set forth in the previous count of this Complaint as if fully set forth herein.

2. On or about June 4, 1993, respondent signed a sworn affidavit in support of a petition for expungement of his arrest record. In that affidavit he stated that at the time of his arrest he had been on his way to treat a horse which belonged to his attorney. He stated that on the date in question he had had in his possession 10cc of morphine in a vial, a 1cc syringe, a 25 gauge fine-eighths-inch needle and a sterile 20 gauge one-inch needle. He stated that the morphine was intended for use to sedate the horse, and that the syringe and needles were intended to test the horse for hypersensitivity prior to sedation. A 1cc dose was allegedly to be injected intradermally prior to sedation for that purpose.

3. Respondent's stated intended use of the morphine, syringe and needles found in the cab of his truck deviates from the standard of care of veterinary equine medicine.

4. Respondent's statement as alleged in paragraph 2, if untrue, constitutes use or employment of fraud, deception and misrepresentation in violation of N.J.S.A. 45:1-21(b); or, if true, constitutes a deviation from the accepted standard of veterinary care and therefore constitutes negligence, malpractice and incompetence in the practice of veterinary medicine pursuant to N.J.S.A. 45:1-21(d), and respondent is therefore subject to disciplinary action including but not limited to the revocation or suspension of his license to practice veterinary medicine in New Jersey.

COUNT III

1. Complainant repeats and realleges the allegations set forth in the previous counts of this Complaint as if fully set forth herein.

2. On May 10, 1993, respondent's veterinary medical practice, which is conducted solely from the back of a pick-up truck, was inspected by two investigators from the Enforcement Bureau, Division of Consumer Affairs. On the door of the truck's cab was written "FARAWAY FARM Veterinary Hospital, Dr. David L. Skand, Richland, NJ (609) 697-8984." Investigators noted that the self-contained compartment behind the cab of the truck was unclean, disorderly and unsanitary in appearance. Investigators saw animal hair and tissue matter attached to surgical instruments which had obviously not been sterilized. Investigators found outdated medications; unreadable labels;

self-made labels; labels without expiration date; broken blood vials and vials with animal blood more than several weeks old; broken glass; and uncapped needles.

3. N.J.S.A. 45:16-9.3b(a) requires that if the title of a veterinary facility includes the word "hospital," such facility must be equipped to provide housing and nursing care during illness and convalescence or major surgery, and must be "solidly constructed" with adequate space and safeguards for patients, clients and personnel. By entitling his practice a "hospital," and so listing it on signs on his truck, respondent violated N.J.S.A. 45:16-9.3(b) and has engaged in the employment of deception and misrepresentation pursuant to N.J.S.A. 45:1-21(b) and is therefore subject to the revocation of his license to practice veterinary medicine in New Jersey.

4. By maintaining the self-contained veterinary medical compartment of his truck, from which he practices, in an unclean, disorderly and unsanitary fashion, respondent violated N.J.S.A. 45:16-8.2, which requires that veterinary facilities maintained and used in connection with the practice of veterinary medicine be clean and sanitary, and is therefore subject to disciplinary sanction including but not limited to the revocation or suspension of his license to practice veterinary medicine in New Jersey.

#### COUNT IV

1. Complainant repeats and realleges the allegations set forth in the previous counts of this Complaint as if fully set forth herein.

2. On October 19, 1993, accompanied by counsel, respondent testified under oath before a committee of the Board of Veterinary Medical Examiners.

3. During his sworn testimony respondent stated that he had completed a two-year residency in pathology in 1986 and 1987 at the University of Pennsylvania.

4. Respondent was never a resident in the pathology department at the University of Pennsylvania.

5. By falsely stating under oath that he had completed a two-year residency in pathology in 1986 and 1987 at the University of Pennsylvania, respondent committed acts of fraud or dishonesty pursuant to N.J.S.A. 45:16-6 (i), engaged in the use or employment of dishonesty, fraud, deception and misrepresentation in violation of N.J.S.A. 45:1-21(b), and engaged in professional misconduct pursuant to N.J.S.A. 45:1-21(e), and is therefore subject to disciplinary sanction including but not limited to the revocation of his license to practice veterinary medicine in New Jersey.

#### COUNT V

1. Complainant repeats and realleges the allegations set forth in the previous counts of this Complaint as if fully set forth herein.

2. Respondent advertised in 1992 that he practiced equine medicine and surgery and that he had an animal diagnostic laboratory.

3. During his sworn testimony on October 19, 1993, respondent admitted that he did not have a diagnostic laboratory.

4. By falsely advertising that he had an animal diagnostic laboratory, respondent violated N.J.S.A. 45:16-9.3a, N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-2.11, and is therefore subject to disciplinary sanction including but not limited to the revocation of his license to practice veterinary medicine in New Jersey.

WHEREFORE, it is respectfully demanded that the State Board of Veterinary Medical Examiners:

1. Suspend or revoke the license heretofore issued to respondent to practice veterinary medicine, surgery and dentistry in the State of New Jersey;
2. Issue an Order directing respondent to cease, desist and refrain from the practice of veterinary medicine, surgery and dentistry in the State of New Jersey;
3. Assess such monetary penalties for each separate unlawful act as set forth above;
4. Order payment of costs, including investigative costs, fees for expert witness and costs of trial, including transcripts;

5. Order such other and further relief as the Board of Veterinary Medical Examiners shall deem just and appropriate.

FRED DE VESA  
ACTING ATTORNEY GENERAL OF  
NEW JERSEY

By: Brenda Talbot Lewis  
Brenda Talbot Lewis  
Deputy Attorney General

DATED:

December 10, 1993